

Regular Session, 2009

HOUSE BILL NO. 179

BY REPRESENTATIVES STIAES, BARROW, AND PATRICIA SMITH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

STUDENT/ASSESSMENT: Provides relative to requirements for pupil progression

1 AN ACT

2 To amend and reenact R.S. 17:24.4(F)(4)(a), relative to requirements for pupil progression;
3 to provide with regard to the impact of established proficiency levels on certain tests
4 on the progress of students in grades four and eight; to require the state
5 superintendent of education to submit recommendations to the State Board of
6 Elementary and Secondary Education relative to expanding opportunities for student
7 promotion in limited circumstances; to require implementation of such
8 recommendations; to provide for effectiveness; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:24.4(F)(4)(a) is hereby amended and reenacted to read as follows:
11 §24.4. Louisiana Competency-Based Education Program; statewide standards for
12 required subjects; Louisiana Educational Assessment Program; parish or city
13 school board comprehensive pupil progression plan

14 * * *

15 F.

16 * * *

17 (4)(a) In addition to the other requirements of this Subsection, the
18 department shall establish, subject to the approval of the State Board of Elementary
19 and Secondary Education, the results on certain of the tests or on certain portions of
20 the tests given as required in this Subsection in third and seventh grade as indicative

1 of the student's proficiency in at least mathematics and reading or language arts and
2 the level of achievement on certain of the tests or on certain portions of the tests
3 administered in fourth and eighth grade and at the secondary level as definitive of
4 the level of the student's proficiency in mathematics, English/language arts, science,
5 and social studies. The level of proficiency required of fourth and eighth grade
6 students in order to proceed with their schooling without intervention shall be
7 established by the State Board of Elementary and Secondary Education by rule
8 adopted in accordance with the Administrative Procedure Act and shall be set with
9 reference to test scores of students of the same grade level nationally. However, by
10 not later than December 30, 2009, the state superintendent of education shall submit
11 recommendations to the board for expanding the opportunities, in limited
12 circumstances, for students who fail to achieve the required proficiency levels to be
13 promoted to grades five and nine, and by not later than January 30, 2010, the board
14 shall approve and implement such recommendations. Additionally, the board shall
15 make information available to the public and to the House Committee on Education
16 and the Senate Committee on Education indicating where a sample of students who
17 score at the state's proficiency level on the state criterion-referenced tests score on
18 a national norm-referenced test. The department shall establish, subject to the
19 approval of the State Board of Elementary and Secondary Education, the nature and
20 application of various intervention options in the case of a failure to demonstrate
21 proficiency, which may include remediation, retention in grade, an alternative
22 placement in succeeding grades, or any other option which will support a student's
23 achieving the required proficiency level.

24 * * *

25 Section 2. This Act shall become effective upon signature by the governor or, if not
26 signed by the governor, upon expiration of the time for bills to become law without signature
27 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
28 vetoed by the governor and subsequently approved by the legislature, this Act shall become
29 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Stiaes

HB No. 179

Abstract: Requires the state superintendent of education to submit recommendations to BESE relative to expanding opportunities for student promotion in limited circumstances; requires BESE to implement the recommendations.

Present law, relative to the Louisiana Educational Assessment Program (LEAP), requires the state Dept. of Education, with the approval of the State Board of Elementary and Secondary Education (BESE), to establish the levels of proficiency based on certain tests administered pursuant to present law for students in certain grades. Specifically requires BESE to establish the level of proficiency needed for fourth and eighth grade students to proceed with schooling without intervention. Requires the state Dept. of Education, with BESE approval, to establish various intervention options for students who fail to demonstrate proficiency, which may include remediation, grade retention, or alternative placement in succeeding grades.

Proposed law retains present law and requires the state superintendent of education, by not later than Dec. 30, 2009, to submit recommendations to BESE for expanding the opportunities, in limited circumstances, for students who fail to achieve the required proficiency levels to be promoted to grades five and nine. Requires BESE, by not later than Jan. 30, 2010, to approve and implement such recommendations.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 17:24.4(F)(4)(a))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Reinstates current law (R.S. 17:24.4(F)(4)(a), (G)(4)(a) and (c), and (H)), including the requirement that BESE establish the level of proficiency needed for fourth and eighth grade students to proceed with schooling without intervention.
2. Deletes proposed law that prohibited using any test scores, including LEAP scores, as the sole criteria for determining student promotion to the succeeding grade.
3. Adds a requirement that the state superintendent of education submit recommendations to BESE for expanding the opportunities, in limited circumstances, for students who fail to achieve the required proficiency levels to be promoted to grades five and nine and requires BESE to approve and implement such recommendations.